UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE NEW YORK TIMES COMPANY, Plaintiff, v. MICROSOFT CORPORATION, OPENAI, INC., OPENAI LP, OPENAI GP, LLC, OPENAI, LLC, OPENAI OPCO LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, and OPENAI HOLDINGS, LLC, Defendants.	Civil Action No. 1:23-cv-11195 (SHS) (OTW)
Daily News, LP; Chicago Tribune Company, LLC; Orlando Sentinel Communications Company, LLC; Sun-Sentinel Company, LLC; San Jose Mercury News, LLC; DP Media Network, LLC; ORB Publishing, LLC; and Northwest Publications, LLC Plaintiffs, v. MICROSOFT CORPORATION, et al., Defendants.	Civil Action No. 1:24-cv-3285 (SHS) (OTW)

DECLARATION OF MARK T. RAWLS

I, Mark T. Rawls, pursuant to 28 U.S.C. § 1746, declare as follows:

1.   I am a Partner at Rothwell, Figg, Ernst & Manbeck, P.C., which represents Plaintiff

Daily News, L.P., et al. ("Daily News Plaintiffs") in this case. I submit this declaration on behalf

of Daily News Plaintiffs in support of the News Plaintiffs' response to OpenAI's letter motion for

a protective order; Dkt. 163. I have personal knowledge of the facts set forth in this declaration.

If called as a witness, I could and would competently testify as to these facts under oath.

2.   On October 10, the parties met and conferred regarding OpenAI's objection to Dr.

Baeza-Yates. Plaintiffs explained that Theodora.AI's work focuses solely on detecting bias in

Spanish-language documents, and that Theodora.AI does not train its models and only fine-tunes

third-party models. Given this, Plaintiffs further explained that Theodora.AI is not a competitor to

OpenAI. Plaintiffs asked OpenAI multiple times whether OpenAI considers Theodora.AI to be a

competitor. OpenAI declined to answer the question. During the course of the meet and confer,

OpenAI never suggested that Theodora.AI is a competitor to OpenAI, and did not otherwise

indicate that it was objecting to Dr. Baeza-Yates's receiving of highly confidential information

because he works for a competitor.

3.   I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 21st day of October, 2024.

/s/ Mark T. Rawls
Mark T. Rawls